

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

**RE: THE DRAWINGS**

It is respectfully pointed out that Fig. 5 was incorrectly published in US 2004/0129300 without reference numeral 1 designating the substrate processing apparatus. As filed, Fig. 5 did include reference numeral 1 to designate the substrate processing apparatus. It is respectfully requested that this error be noted in the USPTO file, and that Fig. 5 be correctly published upon issuance as a patent.

**RE: THE CLAIMS**

Claims 1-15 have been canceled and new independent claim 16 has been added to more clearly and positively recite the features of the present invention in better U.S. form.

New independent claim 16 is readable on the elected invention of (now canceled) claims 9 and 10. In particular, new independent claim 16 recites scheduling and performing control based on the scheduling data, which the Examiner identified as the distinctive features of the invention of claims 9 and 10.

In addition, new claims 17-35 have been added to recite additional structural features of the present invention, depending from new independent claim 16.

No new matter has been added, and it is respectfully requested that new claims 16-35 be approved and entered.

It is respectfully submitted, moreover, that the new claims fully comply with the requirements of 35 USC 112, and it is respectfully requested that the rejection thereunder be withdrawn.

RE: THE PRIOR ART REJECTION

Claims 9 and 10 were rejected under 35 USC 102 as being anticipated by USP 6,772,029, US 2002/0192055, and WO 01/54187 A1 ("Kobayashi et al"). This rejection, however, is respectfully traversed with respect to new claims 16-35 set forth hereinabove.

As recognized by the Examiner, Kobayashi et al discloses a method for scheduling execution times of actions of transfer devices in a substrate transfer controlling apparatus.

It is respectfully submitted, however, that Kobayashi et al does not disclose, teach or suggest transfer devices having the structure of the present invention as recited in new independent claim 16, whereby the plurality of substrate transporting devices comprise a first substrate transporting device which is operable in a first operating range that extends at least from a first one

of the processing tanks to a last one of the processing tanks and a second substrate transporting device which is operable in a second operating range that extends at least from the first one of the processing tanks to the last one of the processing tanks, wherein the first substrate transporting device and the second substrate transporting device are provided on the same transporting track such that when the second substrate transporting device is positioned at an  $n^{th}$  one of the processing tanks the first substrate transporting device is movable only up to an  $n-1^{th}$  one of the processing tanks which immediately precedes the  $n^{th}$  one of the processing tanks.

In addition, it is respectfully submitted that Kobayashi et al does not disclose, teach or suggest the features of the scheduler of the present invention as recited in new independent claim 16 (which prepares scheduling data for controlling operations of the plurality of substrate transporting devices, based on processing conditions and transporting conditions which are entered in advance), whereby when the scheduling data indicates that transportation of the substrates occurs at more than one of the processing tanks simultaneously, the scheduler checks whether it is possible for the transportation of the substrates at the more than one of the processing tanks to be shared among the plurality of substrate transporting devices, and whereby when it is possible for the transportation of the

substrates to be shared the scheduling data prepared by the scheduler is confirmed and the operations of the plurality of substrate transporting devices are controlled based on the scheduling data, and when it is not possible for the transportation of the substrates to be shared a timing of loading substrates before processing at the processing tanks is changed.

Accordingly, it is respectfully submitted that new independent claim 16 and claims 17-35 depending therefrom all clearly patentably distinguish over Kobayashi et al, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claim and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

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